

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-12520 of 2022
Date of decision:06.04.2022

Raj Kumar and others

... Petitioners

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr.Pritam Singh Dhanoa, Advocate
for the petitioners.

Mr. Amandeep Singh Gill, Sr. DAG, Punjab.

SUVIR SEHGAL J.(Oral)

Vide the instant petition filed under Section 482 of the Code of Criminal Procedure, 1973, the petitioners seek quashing of FIR No.159 dated 20.11.2015 lodged for offence under Section 498-A of Indian Penal Code, 1860 at Police Station Moonak, District Sangrur (Annexure P-4) and all subsequent proceedings arising therefrom qua the petitioners.

Heard counsel for the parties.

Petitioners No.1 and 2 are the in-laws and petitioner No.3 is the sister-in-law of the complainant-respondent No.2, who has lodged the impugned FIR (Annexure P-4) on the allegation that she was married to Keshav Insaan on 31.01.2013, but after her marriage she has been subjected to mental and physical harassment. All the dowry articles given to her at the time of marriage including cash and gold ornaments have been embezzled by her in-laws. It has been alleged that in April, 2014, though a sum of

Rs.30,000/- was given by her parents to the accused for purchase of a tractor, but their behaviour did not improve. They even compelled her to abort the pregnancy. On 30.06.2015, the accused physically assaulted her. Her mother-in-law brought kerosene oil to set her ablaze, but she managed to escape and contacted the police helpline. During investigation, the petitioners were found to be innocent and a report dated 20.11.2015 (Annexure P-5) has been submitted against her husband under Section 498-A IPC. During her testimony in Court, the complainant levelled specific allegations against the petitioners and on an application moved by the prosecution, they were summoned, vide order dated 15.05.2019 under Section 319 Cr.P.C. The petitioners unsuccessfully challenged the said order before the Sessions Court and revision petition filed by them was dismissed on 24.02.2022 (Annexure P-6). The petitioners have, however, for reasons best known to them, not challenged the orders whereby, they have been summoned as additional accused, rather they have preferred the instant petition seeking quashing of the FIR on the following two totally vague grounds:-

“11. That the impugned FIR may be quashed on the following grounds:-

i) That this Hon'ble Court has got the inherent powers to quash FIR where the accusation are made on the basis of the overt acts, as persons like petitioners cannot be convicted on the basis of conjectures and implications, without the support of solid evidence.

ii) That this Hon'ble Court has got powers to

discharge such persons against whom no prima facie case is made out.”

In view of the above, no ground is made out at the hands of the petitioners to challenge the impugned FIR (Annexure P-4). The petition lacks merit and is hereby dismissed.

It is clarified that nothing said hereinabove shall be construed to be an expression of opinion on the merits of the case.

(SUVIR SEHGAL)
JUDGE

April 06, 2022
savita

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes</i>